GOVERNMENT OF ANDHRA PRADESH
ABSTRACT

Public Services – Prohibition & Excise Department – Panel of Deputy Commissioners of Prohibition & Excise fit for notional promotion to the post of Joint Commissioner of Prohibition & Excise for the panel year 2011-12 - Departmental Promotion Committee recommendations – Approved – Orders – Issued.

- -

REVENUE (EXCISE.I) DEPARTMENT

G.O.MS.No. 181 **Dated: 24-05-2017**
Read the following:-

1. G.O.Ms.No.397, Revenue (Ex.I) Department, dt.20.06.2012.
2. From the Hon'ble APAT, Hyderabad, orders dt.22.04.2016 in OA No.6761/2012 and OA No.8019/2012.
3. G.O.Rt.No.1151, Revenue (Vig.IV.2) Department, dt.09.12.2016.
4. Govt. Memo. No.48867/Ex.I(1)/2012, dt.27.12.2016.
5. From the Commissioner of Prohibition & Excise, A.P., Cr.No.298/2016/CPE/AP/A1, dt.01.03.2017.
6. U.O.Note. No.48867/Ex.I(1)/2012, dt.21.03.2017.
7. From the G.A (DPC) Department, U.O. Note No.3575/DPC/2017- 2, dated 21.04.2017 along with DPC Proceedings, dated 20.04.2017.

* * *

O R D E R:

In the G.O. 1st read above, orders were issued, on the recommendations of the DPC held on 03.05.2012 approving the names of the Deputy Commissioners of Prohibition & Excise fit for promotion to the post of Joint Commissioner of Prohibition & Excise for the panel year 2011-12. But, in case of Sri P.Nageswara Rao, the Committee did not consider his name since his name was not find place in the seniority list placed before the Departmental Promotion Committee at that time.

2. Sri P.Nageswara Rao, filed O.A.No.6761/2012 on the file of Hon'ble A.P. Administrative Tribunal for according notional promotion in the cadre of Deputy Commissioner of Prohibition & Excise. The Tribunal in its interim orders, dt.28.08.2012 directed the respondents to consider the claim of the applicant for notional promotion in the cadre of Deputy Commissioner of Prohibition & Excise on par with his juniors as his name was deferred after due approval by the Government solely on the ground of pendency of ACB case. In compliance of the said orders, Government in G.O.Ms.No.626, Revenue (Excise.I) Department, Dt.06.11.2012 issued orders considering the request of Sri P.Nageshwara Rao to assign him notional promotion in the category of Deputy Commissioner of Prohibition & Excise with effect from 04.02.2008 in the panel year 2007-08.

3. Sri P.Nageswara Rao has also filed OA No.8019/2012 questioning the legality of G.O.Rt.No.1229, Revenue (Vig.V) Department, dt.16.08.2012, wherein Government ordered to withhold the two annual grade increments without cumulative effect from the gratuity payable to the applicant on his retirement. The Hon'ble Tribunal in its orders, dt.22.04.2016, while setting aside the G.O.Rt.No.1229, Revenue (Vig.V) Department, dt.16.08.2012, directed to accord notional date of promotion to the applicant in the cadre of Joint Commissioner of Prohibition & Excise on par with his junior with all consequential benefits.

4. In the G.O. 3rd read above, Government have implemented the orders of APAT., dt.22.04.2016 in OA No.6761/2012 and OA No.8019/2012.

5. In the reference 5th read above, the Commissioner of Prohibition & Excise, A.P., Vijayawada has submitted proposal for considering notional promotion to Sri P.Nageswara Rao, Deputy Commissioner of Prohibition &

Excise(Retd.) in the cadre of Joint Commissioner of Prohibition & Excise for the panel year 2011-12.

6. After careful examination of the matter and keeping in view of the orders of the APAT, dated.22.04.2016 in OA No.6761/2012 and OA No.8019/2012, the proposal for considering the name of Sri P. Nageswara Rao, Deputy Commissioner of Prohibition & Excise (Retd.) for notional promotion to the category of Joint Commissioner of Prohibition & Excise by reviewing his case for the panel year 2011-12 on par with his juniors was placed before the review Departmental Promotion Committee for its consideration. The Review DPC, in its meeting held on 20.04.2017 has considered the name of Sri P. Nageswara Rao, Deputy Commissioner of Prohibition & Excise (Retd.) for notional promotion in the category of Joint Commissioner of Prohibition & Excise on par with his juniors and accordingly recommended to include his name in the panel of Deputy Commissioner of Prohibition & Excise fit for notional promotion to the category of Joint Commissioner of Prohibition & Excise for the panel year 2011-12, below the name of Sri S. V. Prasada Rao and above the name of Sri K.L.Bhaskar for the panel year 2011-12 and accordingly to re-caste the panel by deleting the name of Sri M.Venkataiah from the panel in terms of orders issued in G.O.Ms.No.62, General Administration (DPC.I) Department, dt.08.02.1989.

7. Government hereby accept the above recommendations of the Review Departmental Promotion Committee held on 20.04.2017 and decided to include the name of Sri P. Nageswara Rao, Deputy Commissioner of Prohibition & Excise (Retd.) in the panel of Deputy Commissioner of Prohibition & Excise fit for notional promotion to the category of Joint Commissioner of Proh. & Excise below the name of Sri S. V. Prasada Rao and above the name of Sri K.L.Bhaskar for the panel year 2011-12 and accordingly the panel is re-casted as follows:

1. Sri V.G. Katakam
2. Sri Veerender Singh
3. Sri S.V. Prasada Rao
4. Sri P.Nageswara Rao
5. Sri K.L. Bhaskar-SC

8. Further, the last name included in the panel viz., Sri M.Venkataiah, vide G.O. 1st read above, is deleted from the panel in terms of orders issued in G.O.Ms.No.62, General Administration (DPC.I) Department, dt.08.02.1989.

9. The above recommendation is subject to directions/outcome of OAs/WPs/WAs/RPs/CAs etc., if any, pending before Tribunal/Courts etc.

(BY ORDER AND IN THE NAME OF THE GOVERNOR OF ANDHRA PRADESH)

Dr. D. SAMBASIVA RAO
SPECIAL CHIEF SECRETARY TO GOVERNMENT

To
The Commissioner of Prohibition & Excise, A.P.,
RS.No.88-2B, Sai Vihar Apartments, Poultry Farm Road,
Prasadampadu(Village), Vijayawada (Rural Mandal), Krishna District.

Copy to: The General Administration (DPC)Department.
The PS to Minister for Prohibition & Excise.
The PS to Spl. C.S. to Govt., Revenue Department.
The Rev(Vig-IV) Department.
The Government Pleader for Revenue (Services), A.P. Administrative Tribunal, Hyderabad.
Sf/Sc

//FORWARDED::BY ORDER //

SECTION OFFICER.